TABLE OF CONTENTS

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
IAB# IV2166417

Subject: Joe Martinez, Deputy Sheriff Generalist, Cerritos Station

Date Of Incident: February 7, 2006

Incident Location: Cerritos Sheriff's Station

Department Notification Date: February 7, 2006

SYNOPSIS

On February 7, 2006, at approximately 2125 hours, Deputy Joe Martinez arrested [redacted] for possession of a controlled substance. The arrest was made outside Mr. [redacted] place of employment in the City of Cerritos. The informant, [redacted] was present during the arrest and had also met with Deputy Martinez earlier that same day (Approximately 1500 hours) at Cerritos Station. During the meeting, Mr. [redacted] informed Deputy Martinez that he had recovered a plastic baggy containing drugs from Mr [redacted] and that he wanted to have a report taken. Mr. [redacted] had the baggy in his possession and showed it to Deputy Martinez. Mr. [redacted] left Cerritos Station with the baggy still in his possession. Suspect [redacted] was subsequently arrested and charged with being in possession of the baggy of drugs Mr. [redacted] had previously shown to Deputy Garcia.

IAB Note: The lab report submitted by scientific services bureau indicates that the substance contained in the baggy was 0.42 grams of crystalline solid substance containing methamphetamine (Exhibit F).

WITNESS STATEMENTS

Witness [redacted] said that he arrived at his [redacted] residence, which he owns, and found [redacted] inside the residence. He also observed that Suspect [redacted] was in possession of a plastic baggy which contained a substance resembling illegal drugs. Witness [redacted] said that Suspect [redacted] told him that the baggy did in fact contain drugs and admitted that it belonged to him([redacted]). Witness [redacted] said that he took the baggy from Suspect [redacted] and asked him to leave. Witness [redacted] said that he consulted with Sheriff's Department personnel at the Sheriffs Department store front facility in Cerritos and was advised to call the station and request that a deputy respond to his residence. Witness [redacted] said that he contacted Cerritos station and requested that a deputy respond. Witness [redacted] said that a deputy ([redacted]) responded to his residence and that he showed the baggy containing the drug like substance to him. Witness Garcia said that Deputy [redacted] advise him that the substance was not a drug and that there was nothing he could do. (See Cerritos Station unit level investigation under IAB # [redacted] for further regarding Deputy [redacted] contact with Witness [redacted])

Witness said that he went to Cerritos Sheriff Station on the afternoon of February 7, 2006. He said that he was not satisfied with the way Deputy handled the situation and wanted to file a police report for the drug like substance he confiscated from Suspect that morning. Witness said after sitting in the lobby for approximately one hour without being assisted, he walked outside and encountered a female deputy ( ). He said Deputy told him that she was off duty and directed him to another deputy (Joe Martinez). Witness said that he informed Deputy Martinez of what had transpired and showed him the baggy containing the drug like substance. Witness said that Deputy Martinez informed him that he was not yet on-duty, however, he would help him once he started his shift.

Witness said that he explained to Deputy Martinez that he wanted to obtain additional information about the suspect before making his report. He said that he did not know the suspect's name and only knew that he was a at his place of employment. Witness was frustrated over his failed attempts to have a report taken and believed that he would increase the likelihood that action would be taken on his complaint if he provided Deputy Martinez with a name and an address for Suspect Witness told Deputy Martinez that he would call him once he obtained the information. Witness said that Deputy Martinez did not instruct nor suggest that he locate Suspect He also said that Deputy Martinez did not take possession of the baggy of drugs.

Witness said that he went to his place of employment, where Suspect also worked, and confronted Suspect He said after he learned identity, he telephoned Cerritos Station and asked for Deputy Martinez. Witness was advised that Deputy Martinez was not available. Witness left his number and asked that Deputy Martinez be informed that he called. Witness telephoned Cerritos Station a second time and was again advised that Martinez was not available. Witness does not recall if he received a return call from Martinez, providing him with the store address or if he relayed the address to the person taking the message.

Witness said that he remained outside the store while awaiting Deputy Martinez' arrival. Witness said that he confronted Suspect a second time as it appeared he was locking up the store and leaving for the day. Mr. said he was engaged in a verbal argument with Suspect when Deputy Martinez arrived. He said that Deputy Martinez separated the two of them and spoke with each of them separately. Witness said that he heard Suspect admit to Deputy Martinez that the drugs belonged to him (. He said that Deputy Martinez subsequently placed Suspect under arrest and transported him away from the scene in his radio car.

Deputy said that she encountered Witness outside the entrance to Cerritos Station. She said that he showed her a small plastic baggy containing a substance that he reported to be narcotics. Deputy said that she was going to handle Witness situation and intended to complete a found narcotics report. Deputy contacted dispatch to advise them of her intentions. Dispatch informed her that Deputy Martinez had already been

assigned to handle Witness request for service. Deputy said that Deputy Martinez pulled up in his patrol unit as she was speaking to Witness She directed Witness to Deputy Martinez and explained that he (Martinez) would assist him with his service request.

Custody Assistant said that he was working the front counter at Cerritos Station when Witness came in and presented a baggy of drugs. Mr. said after seeing that Witness had drugs in his possession, he immediately notified the watch deputy, Deputy who dispatched a unit to respond to the station and assist Witness

said that he saw Witness walk out of the station after waiting in the lobby approximately 30 minutes for the assigned deputy to arrive. said that he ( ) feared Witness might have been upset or was possibly going to do something with the baggy of drugs. said that he was also concerned that Witness might file a complaint for having to wait an extended period of time for the assigned deputy (Martinez) to arrive. contacted Deputy and advised him of his concerns. said that Deputy walk outside to locate Witness and when he returned, he told him that Witness was outside speaking with Deputy

said after approximately thirty to forty minutes, Deputy Martinez entered the station and greeted him. said that he asked Martinez if he contacted Deputy He said that Martinez replied, "Yeah, I talked to them," and after taking a couple steps he added, "And I think I'll bring you a body later." said that he believed Martinez was insinuating that he was either going to arrest Witness or the person Witness claimed to have taken the drugs from. said he thought Martinez' response was strange given the fact that the call was for a found narcotics report. said that he informed Deputy of the comment.

Deputy was the P.M. shift watch deputy on February 7, 2006. He was informed of Witness 's presence in the lobby by Witness Deputy was also informed that Witness had found narcotics and wanted to turn them in. Deputy recalled seeing Witness in the lobby with the baggy of drugs and noted that he ( ) appeared to be agitated. A call for service for Witness was dispatched to a field unit (Martinez).

Deputy said after some time Witness left the lobby and that he ( ) walked to the lobby to check on his whereabouts. He said that he saw a patrol unit parked in front of the station and observed Witness speaking with Deputy Deputy said that he believed Deputy Martinez would not be far behind because he (Martinez) and Deputy attended the same briefing. Deputy said that he saw Deputy Martinez and Witness enter the lobby, converse for a moment and then leave. Deputy assumed that the call had been handled.

Deputy said he was later approached by who questioned deputy Martinez' handling of the call. believed there was an arrangement made between Deputy Martinez

and Witness [redacted] to meet later. Deputy [redacted] said that he did not think there was anything to be concerned with at that time. Deputy [redacted] received a telephone call later that evening from Witness [redacted] He said that Witness [redacted] was upset because Deputy Martinez hadn't yet arrived at "Coco's." Deputy [redacted] agreed to send an MDT message to Deputy Martinez informing him that Witness [redacted] was waiting **(See Exhibit D)**. Deputy [redacted] said prior to going home that evening, he learned that Deputy Martinez made an arrest.

The following day (February 8, 2006) Deputy [redacted] learned that Mr. [redacted] had visited Cerritos Station prior to the occasion Deputy Martinez was dispatched to assist him. Deputy [redacted] said that Deputy [redacted] explained that Witness [redacted] visited the station and requested that his [redacted] be arrested for possessing drugs. After learning these facts, deputy [redacted] pulled the arrest report written by Deputy Martinez the previous day and found that the informant listed in the narrative of the report was also Witness [redacted] Deputy [redacted] concerned that something inappropriate might have taken place reported his observations and findings to Lieutenant Bob Esson. Lieutenant Esson subsequently reported the facts to Captain Gary De Cew via memo **(Exhibit E)**.

SUBJECT STATEMENTS

Deputy Joe Martinez said that at the beginning of his shift on February 7, 2006, he received a call **(Exhibit C)** that a person, later determined to be Witness [redacted] was at the station (Cerritos) with found narcotics. At the conclusion of shift briefing, Deputy Martinez located Witness [redacted] outside the station near the front entrance. Deputy Martinez said that Witness [redacted] immediately showed him a "Zip-lock" baggy which contained a substance that resembled narcotics. Deputy Martinez said that he (Martinez) advised Witness [redacted] that the substance inside the baggy was possibly Methamphetamine.

Deputy Martinez said that he reassured Witness [redacted] that he could help and asked that he explain "what was going on." Witness [redacted] explained how he encountered a man ([redacted] [redacted] in the residence where his [redacted] resides. He explained that during the encounter, the baggy of narcotics fell from [redacted]' pocket. Witness [redacted] said that [redacted] admitted that the baggy contained drugs and subsequently left the location. Deputy Martinez said that the only information Witness [redacted] had about [redacted] was that he was a [redacted] at his [redacted] place of employment.

Deputy Martinez said that he told Witness [redacted] the only way to determine if the substance was a drug was to test it. He further explained that he would have to take the baggy, book it into evidence and write a report based on the information he ([redacted]) provided. Deputy Martinez said that Witness [redacted] began to ramble about the previous deputy (Deputy Altman) that responded and inspected the substance and his desire to have [redacted] arrested. Deputy Martinez said that Witness [redacted] asked why [redacted] could not be arrested, to which he (Martinez) responded, "It doesn't work that way sir." Deputy Martinez said based on Witness [redacted] comments about Deputy Altman and his insistence that an arrest be made he became concerned about the veracity of his claims.

Deputy Martinez said that Witness [redacted] was "irate" due to the fact that [redacted] was not going to jail, and that on a prior visit to the station that morning, regarding the same matter, nothing was done. Deputy Martinez said that Witness [redacted] was adamant about making a complaint, however, he did not direct him to the watch commander because he ([redacted]) did not specifically ask to speak with the watch commander or state that he wanted to make a complaint. Deputy Martinez said that he told Witness [redacted] "What happened happened earlier. I'm here. I'll take care of it for you. We'll work it out."

IAB Note: **Deputy Martinez' Deputy Daily Worksheet (Exhibit B) indicates that he cleared the [redacted] call involving Witness [redacted] as a duplicate call and referenced the earlier call involving Witness [redacted] that was handled by Deputy Altman. The earlier call handled by Deputy Altman is the subject of a unit level administrative investigation ([redacted]).**

Deputy Martinez said he asked Witness [redacted] to bring [redacted] to the station and said that he would handle it at that point if he ([redacted]) admitted that the drugs were his. After Witness [redacted] explained that he did not have a number or address for [redacted] Deputy Martinez asked him ([redacted]) how he wanted to validate his claim. He said that witness [redacted] mentioned [redacted] was the [redacted] at his [redacted] place of employment and that he closes the store. Deputy Martinez said that he told Witness [redacted] that if he could prove that he was not lying about [redacted] admission to possessing the drugs, they could go a different route with handling the problem. Deputy Martinez said that he asked Witness [redacted] how he wanted to handle the situation. He said that Witness [redacted] said that he was going to contact [redacted] Deputy Martinez said that he advised Witness [redacted] to call the station desk if he needed to get a hold of him.

Deputy Martinez said that he allowed Witness [redacted] to leave the station with the drugs. He said that he felt that it was appropriate to do so, "Not knowing if this guy was just making up stuff or this guy was just making accusations and blaming deputies and other people." Deputy Martinez also said, "I didn't believe him and that possibly it wasn't narcotics." Deputy Martinez said that he opted not to take a found Narcotics report because, " I was unsure with this guy from the get go and I didn't, to be honest with you, I didn't even know if it was something else besides that." He also added, " But just the way how he came to the station, how he, he brought this and started saying something about a deputy and then how this fell out of someone else's pocket."

Deputy Martinez said that he did not expect to hear from Witness [redacted] after their initial contact and that he was almost at the end of his shift when he received an Mobile Digital Terminal message **(Exhibit D)** that he ([redacted]) telephoned and asked that he (Martinez) return his call. Deputy Martinez said that he telephoned Witness [redacted] and learned that he wanted to meet at [redacted] place of employment. Deputy Martinez said that he was patrolling near the Cerritos mall which was in the immediate vicinity of the location he was to meet Witness [redacted] He said that he drove by the location and saw Witness [redacted] arguing with another man who was later identified as [redacted] Deputy Martinez said that he separated the two men and spoke

with [redacted] He said that a warrant check revealed that [redacted] had $50,000.00 dollars in warrants for which he [redacted] was arrested. Deputy Martinez said that [redacted] admitted that the drugs Witness [redacted] showed him were his. Deputy Martinez additionally charged [redacted] for possession of a controlled substance **(Exhibit A)**.

Deputy Martinez said that his report on the incident **(Exhibit A)** accurately reflected the events surrounding the arrest including the circumstances under which he responded to [redacted] place of employment. However, in light of the subsequent administrative investigation, he should have included the facts regarding his prior contact with Witness Garcia.

Deputy Martinez denied having made the comment or a comment similar to, "I talked to him and I will be bringing you a body later," while speaking to Witness [redacted] following his initial meeting with Witness [redacted]



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



Leroy D. Baca, Sheriff

October 2, 2006

Deputy Joe Martinez, #[redacted]

Deputy Martinez:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective at the close of business on October 24, 2006.

An investigation under File Number IAB 2166417, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (*specifically as it relates to Manual Section 4-01/020.10, Content of Complaint Reports*), on or about February 7, 2006, while on duty at Cerritos Station, you failed to fully and/or accurately document a complete, chronological, and/or factual account of what occurred in a criminal matter. Moreover, you failed to take appropriate police action after a citizen brought found narcotics into the station and/or failed to follow established procedures for handling suspected illegal narcotics by permitting the citizen to leave the station with the suspected narcotics, and/or failed to immediately generate an incident report. By your actions, you failed to conform to the work standards established for your rank and/or position.

2. That in violation of Manual of Policy and Procedures Section 3-01/100.35, False Information in Records, on or about February 7,

2006, you neglected to fully document, in chronological order, and/or failed to accurately describe the circumstances in an incident report which brought a criminal matter to your attention, as evidenced by but not limited to:

a) failing to mention in the report, your prior contact with Witness [redacted] at the Cerritos Station, and/or;

b) failing to detail in your report, the suspected narcotics which Witness [redacted] brought into the station, and/or;

c) failing to state in the report that you were later summoned to the location of the arrest by Witness [redacted] and/or;

d) inaccurately reporting that the arrest was made solely as a result of you conducting a patrol check of the location due to recent vehicle burglaries, wherein you observed two male Hispanic adults arguing in front of the indicated location, and/or;

e) that after stopping at the indicated business, Witness [redacted] showed you a zip-lock baggie containing a white crystalline substance resembling methamphetamine [but neglecting to mention that you had previously been shown the same narcotics at Cerritos Station when Witness [redacted] brought them there].

3. That in violation of Manual of Policy and Procedures Section 3-01/050.20, Duties of All Members, on or about February 7, 2006, you failed to take immediate action to confiscate evidence that was suspected to be illicit narcotics and/or allowed the informant to leave Cerritos Station with the suspected illegal narcotics in his possession.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Marvin Cavanaugh on October 17, 2006, at 0900 hours, in his office, which is located at Sheriff's Headquarters Building, 4700 Ramona Boulevard, Monterey Park, on the 4th Floor. If you are unable to appear at the scheduled time and wish to schedule some other time prior to October 17, 2006, for your oral response, please call Chief Cavanaugh's secretary at [redacted]

for an appointment.

If you choose to respond in writing, please call Chief Cavanaugh's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Cavanaugh's office by no later than October 17, 2006.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Karyn Mannis

Karyn Mannis, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Marvin Cavanaugh, Field Operations Region III
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2166417)

WILLIAM BALDERRAMA (Bar No. 112362)
DANIEL C. CARMICHAEL, III (Bar No. 123010)
LAW OFFICES OF WILLIAM BALDERRAMA
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Attorneys for Respondent
Los Angeles County Sheriff's Department

CIVIL SERVICE COMMISSION

COUNTY OF LOS ANGELES

In The Matter Of The Appeal Of Joseph Martinez, from his Fifteen (15) Day Suspension (Case No. 06-212) and his Discharge (Case No. 06-464 from his position of Deputy Sheriff Appellant, vs. **Los Angeles County Sheriff's Department** Respondent,	Case Numbers: 06-212 and 07-464 **SETTLEMENT AGREEMENT AND RELEASE**

Agreement is fully executed.

PRELIMINARY STATEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department (hereinafter referred to as "the Department") and Deputy Joseph Martinez, Employee Number [redacted]).

RECITALS

The Department and Joseph Martinez are parties to the above-referenced matters and desire to avoid further litigation, and to settle all disputes and issues in said matters upon the terms and conditions hereinafter set forth. NOW THEREFORE, the Department and Joseph Martinez for and in consideration of the mutual covenants herein, agree as follows:

1. Upon execution of this agreement, Joseph Martinez will submit his resignation from the Department ~~for personal reasons~~ *in order to retire.*, effective at the close of business on January 24, 2007. The Department, upon execution of this agreement, shall rescind the fifteen (15) day suspension (CSC Case No. 06-212) of Joseph Martinez, effective January 8, 2006, and the discharge (CSC Case No. 06-424) of Joseph Martinez, effective October 24, 2006. The Appellant will be made whole for the three months from October 24, 2006 to January 24, 2007 in accordance with the applicable provisions of County Code [redacted]

2. The Department shall seal in an envelop in a file maintained in his Internal Affairs File, the Department's letter imposing a fifteen day suspension, dated May 1, 2006, the Department's letter of discharge, dated October 24, 2006, a copy of this settlement agreement and all other references to the suspension and the discharge in Joseph Martinez' personnel file. The envelop shall state: "To be opened only by order of the Court, the Sheriff, or with the permission of Joseph Martinez."



3. In consideration of the foregoing, Joseph Martinez hereby withdraws his appeals to the Civil Service Commission (CSC Case No. 06-212 and CSC Case No. 06-464) and waives any and all future administrative and/or judicial remedies involving or pertaining to either the suspension, the discharge, or the resignation, including, but not limited to, appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission.

4. The parties further agree that this Settlement shall not be considered, cited or used in any further disputes as establishing past precedent or past employment practice. This Agreement resolves the dispute between Joseph Martinez and the Department and is not to be applied to any other facts or disputes.

5. In consideration of the terms and conditions set forth herein, Joseph Martinez agrees to full release, acquit and forever discharge the County, and all present and former officers, employees, and agents of the County and their heirs, successors, assigns, and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Joseph Martinez. Additionally, Joseph Martinez specifically acknowledges that he has not been the subject of discrimination in any form, including, but not limited to, discrimination based upon age, race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, parental status, or sex, and that he has no claim against the Department for any such discrimination, whether any such claim is presently known or not known by him.

6. Joseph Martinez further agrees to relinquish and expressly waive all rights conferred upon him by the provisions of California Civil Code Section 1542,

which reads as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

7. Each party hereto represents and agrees that he or it has carefully read and fully understands all of the provisions of the Agreement, and that he/she or it is voluntarily entering into the Agreement, without any duress or undue influence on the part of or on behalf of any party.

8. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy or facsimile transmission of the Agreement, including signatures, shall be deemed to constitute evidence of the Agreement having been executed.

9. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this Agreement.

10. The parties agree that the foregoing comprises the entire Agreement between the parties and that there have been no other promises made by any party. Any modification of this Agreement must be in writing.

I have read the foregoing Settlement Agreement and I accept and agree to the provisions contained therein and hereby execute it voluntarily and will full understanding of its consequences.

1 IN WITNESS WHEREOF, the parties hereto have executed this Settlement Agreement
2 and Release on the date set forth below.

3 **APPELLANT**

4

5 9/28/2007 ____________________ JOSEPH MARTINEZ
Date

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7 **FOR THE DEPARTMENT**

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9 10/2/07 ____________________ MARVIN O. CAVANAUGH
Date ASSISTANT SHERIFF

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APPROVED AS TO FORM

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15 9/28/07 ____________________ Mitch Kander, Esq.
Date Green & Shinee

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19 9/28/07 ____________________ Daniel C. Carmichael, III, Esq.
Date Law Offices of William Balderrama

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County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

October 24, 2006

Deputy Joe Martinez, #[redacted]
[redacted]

Deputy Martinez:

On October 2, 2006, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2166417. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, your Division Chief determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business on October 24, 2006.

An investigation under File Number IAB 2166417, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (*specifically as it relates to Manual Section 4-01/020.10, Content of Complaint Reports*), on or about February 7, 2006, while on duty at Cerritos Station, you failed to fully and/or accurately document a complete, chronological, and/or factual account of what occurred in a criminal matter. Moreover, you failed to take appropriate police action after a citizen brought found narcotics into the station and/or failed to follow established procedures for handling suspected illegal narcotics by permitting the citizen to leave the station with the suspected narcotics, and/or failed to immediately generate an

incident report. By your actions, you failed to conform to the work standards established for your rank and/or position.

2. That in violation of Manual of Policy and Procedures Section 3-01/100.35, False Information in Records, on or about February 7, 2006, you neglected to fully document, in chronological order, and/or failed to accurately describe the circumstances in an incident report which brought a criminal matter to your attention, as evidenced by but not limited to:

   a) failing to mention in the report, your prior contact with Witness [redacted] at the Cerritos Station, and/or;

   b) failing to detail in your report, the suspected narcotics which Witness [redacted] brought into the station, and/or;

   c) failing to state in the report that you were later summoned to the location of the arrest by Witness [redacted] and/or;

   d) inaccurately reporting that the arrest was made solely as a result of you conducting a patrol check of the location due to recent vehicle burglaries, wherein you observed two male Hispanic adults arguing in front of the indicated location, and/or;

   e) that after stopping at the indicated business, Witness [redacted] showed you a zip-lock baggie containing a white crystalline substance resembling methamphetamine [but neglecting to mention that you had previously been shown the same narcotics at Cerritos Station when Witness [redacted] brought them there].

3. That in violation of Manual of Policy and Procedures Section 3-01/050.20, Duties of All Members, on or about February 7, 2006, you failed to take immediate action to confiscate evidence that was suspected to be illicit narcotics and/or allowed the informant to leave Cerritos Station with the suspected illegal narcotics in his possession.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

R. Doyle Campbell

R. DOYLE CAMPBELL
ASSISTANT SHERIFF

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

RDC:WJM:KM:rjb

c: Advocacy Unit
Marvin O. Cavanaugh, Chief, Field Operations Region III
Daryl Evans, Captain, Cerritos Station
Internal Affairs Bureau
Office of Independent Review (OIR)
Bruce Pollack, Captain, Personnel Administration